

United States of America v. City of Portland, Case No. 3:12-cv-2265

NOTICE OF FAIRNESS HEARING

Tuesday, February 18, 2014, 9:00 a.m., Courtroom 13B

Overview of the Case

The U.S. Department of Justice has found reasonable cause to believe that the Portland Police Bureau has an unconstitutional “pattern or practice” of using excessive force against persons with actual or perceived mental illness. Based on that finding, the U.S. sued the City of Portland. The City of Portland reached a proposed Settlement Agreement with the U.S. to remedy the identified problems. The Settlement Agreement has been considered and deemed fair and reasonable by the Portland Police Association. The Albina Ministerial Alliance Coalition for Justice and Police Reform does not object to the acceptance of the Settlement Agreement by the Court and has agreed to advocate for the implementation of the Settlement Agreement reforms that the AMA Coalition supports. The Court will hold a Fairness Hearing to decide whether the proposed Settlement Agreement is fair, reasonable, and adequate. The Fairness Hearing will be held on Tuesday, February 18, 2014, beginning at 9:00 a.m., in Courtroom 13B. The Fairness Hearing will be open to the public.

The Complaint in this case, the proposed Settlement Agreement, the Court’s Order setting the Fairness Hearing and its governing procedures, and the Testimony Form for persons wanting to submit oral or written testimony regarding the Settlement Agreement are available free of charge at the District Court’s Civil Intake Counter and at <http://ord.uscourts.gov/fh>.

Procedures Before the Fairness Hearing

The Court invites members of the public to testify, in writing or orally, on the following topics:

Is the Agreement **fair** to everyone affected?

Is the Agreement **reasonable**?

Is the Agreement **adequate** to solve the problems identified in the Complaint?

To do so, persons are encouraged to submit the Testimony Form or a similar written submission no later than January 31, 2014. Submissions may be made to the Clerk of the Court in person or via first class mail, or via email to Mary_Austad@ord.uscourts.gov. If anyone is unable to attend the scheduled hearing and wishes to provide oral testimony, he or she may do so by video and submit a DVD. Submissions will be retained by the Court until the close of the case, but will not be part of the public record unless the Court orders otherwise.

Procedures at the February 18, 2014 Fairness Hearing

Upon arrival at the Courthouse, members of the public will sign-in at Courtroom 13B. Those who previously provided a written submission requesting oral testimony will be given priority. Those who did not provide advance notice of their intent to testify may testify, at the Court’s discretion and if time permits. The Court will determine the order of the individuals providing testimony. Each member of the public will be provided five (5) minutes to testify. Organizations will be limited to presenting three (3) representatives and each representative will have ten (10) minutes to testify. The Court may extend time for testimony for good cause. Only testimony that is relevant, as determined by the Court, will be allowed at the hearing.

Exhibit B, Notice of Fairness Hearing